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July 31, 2007

BY HAND

Honorable Victor Marrero
United States District Judge
United States Courthouse
500 Pearl Street, Room 660
New York, New York 10007-1213

Re: *Micalden Investments S.A. v. Olga Rostropovich, et. al.*
Case No. 07 Civ. 2395 (VM)

Dear Judge Marrero,

I am counsel for plaintiff in this action and I write to request a further extension of plaintiff's time to respond to the motions to dismiss filed by two sets of defendants in this action.

I am aware that plaintiff has requested and received two extensions of the response deadline and I appreciate the courtesy of counsel in consenting to the prior extensions. However, the following circumstances have necessitated this request.

The defense motions raise a single simple issue; the supposed lack of a security agreement. The response to the motions has been complicated by the difficulty in getting the document and related affidavits from the client overseas. I have been advised that the document itself is in France; I also need an affidavit from a notary in Morocco. Since the motion was made, the principal of plaintiff has given birth to a baby and accompanied her husband as he had an eighth surgery in the wake of a devastating accident. In the last few weeks, she has been in Morocco for all but a few days; she is now in Bangkok and will be traveling in Asia on business until August 24. All this has made it almost impossible for me to obtain the original document and the related affidavits which form the basis of plaintiff's opposition to the motion.

Unfortunately, at the time plaintiff requested the last extension, I was out of the country myself and simply failed to appreciate the logistical difficulties that would be entailed in obtaining these documents. I thought that the extension to July 31

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would be ample, but these logistical issues have forced me to seek a further extension on plaintiff's behalf.

In these circumstances, I respectfully request that the Court extend plaintiff's time to respond to the motion until September 7, 2007. This will obviously be the last extension plaintiff seeks with respect to these motions. As one defendant (Olga Rostropovich) has not even appeared yet, the adjournment will not affect the overall progress of the case.

I have sought consent from the two defense firms that have appeared. One has indicated that they have no objection if all counsel agree; the second (counsel for defendants Cooley Godward and Renee Schwartz) has declined consent with no reason given.

I apologize to the Court for not making this application sooner but I only became aware late yesterday that it would be impossible for plaintiff to file today.

I thank the Court for its consideration of the matter.

Respectfully yours,


Edward Rubin

cc: Marc Rosen, Esq. (By Hand)
Arthur Jakoby, Esq. (By Hand)